

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)	PDC CASE NO: 01-586
ACTION AGAINST)	
)	
Sonia Shoptaw)	Notice of Administrative
)	Charges
Respondent.)	
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IT IS ALLEGED as follows:

I.
JURISDICTION

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Commission, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

II.
LAW

RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs and gifts, states in part: “(1) Every elected official and every executive state officer shall after January 1st and before April 15th of each year file with the commission a statement of financial affairs for the preceding calendar year...”

RCW 42.17.241 details the content required in each report.

WAC 390-24-010 Forms for Statement of Financial Affairs, states in part: “The official form for statements of financial affairs as required by RCW 42.17.240 is designated ‘F-1’, revised 11/97...”

III. **FACTS**

The Respondent, Sonia Shoptaw, is a Director of Newport School District J56-415, PO Box 70, 1380 West 5th Street, Newport, Washington. Her term of office ends in the year 2002.

(Exhibit 1) Ms. Shoptaw held office during 2000 and was required to file a Statement of Financial Affairs (PDC form F-1) by April 15, 2001. Because April 15th fell on a Sunday, the form was due on Monday, April 16, 2001. The F-1 report was not filed. On May 17, 2001, Sonia Shoptaw was sent a postcard informing her that the F-1 report due by April 16, 2001 had not been received. **(Exhibit 2)** On June 15, 2001, Ms. Shoptaw was notified of a brief enforcement hearing scheduled for July 24, 2001. On July 17, 2001, Ms. Shoptaw was notified that the brief enforcement hearing had been rescheduled to July 30, 2001. She was given an opportunity to file the missing F-1 report, sign a Statement of Understanding, admitting a violation, and pay a penalty of \$50. **(Exhibit 3)** No response was received. On July 30, 2001, Chair Christine Yorozu asked that the full commission hear the matter. The F-1 report due April 16, 2001 has not been received.

Past History – On October 6, 2000, the PDC sent a hearing notice in PDC Case No. 01-110 to Ms. Sonia Shoptaw alleging that Ms. Shoptaw failed to file a Personal Financial Affairs Statement, PDC Form F-1, by April 17, 2000. On December 11, 2000, an order was entered finding Ms. Shoptaw in violation of RCW 42.17.240 and assessing a civil penalty of \$250. The PDC’s decision is set forth in its Findings of Fact, Conclusions of Law, and Order sent to Ms. Shoptaw. The penalty remains unpaid.

On March 1, 2000, the PDC sent a hearing notice in PDC Case No. 00-760 to Ms. Sonia Shoptaw alleging that when Ms. Shoptaw was a candidate in 1999, she failed to file a Personal Financial Affairs Statement, PDC Form F-1, within two weeks of becoming a candidate. On March 31, 2000, an order was entered finding Ms. Shoptaw in violation of RCW 42.17.240 and assessing a civil penalty of \$500 with \$450 suspended on the condition that the F-1 was filed and the penalty was paid within 30 days. The PDC's decision is set forth in its Findings of Fact, Conclusions of Law, and Order sent to Ms. Shoptaw. The terms of the suspension have not been complied with and PDC staff is seeking a review of PDC Case No. 00-760 concurrent with this action.

IV.

CONCLUSION

Staff alleges, based on the facts specified in Section III, that Sonia Shoptaw has violated RCW 42.17.240 by failing to file a Statement of Financial Affairs (PDC form F-1) by April 16, 2001.

RESPECTFULLY SUBMITTED this 7th day of August, 2001.

Philip E. Stutzman
Director of Compliance

PHIL/ENFORCE/01-069.STM